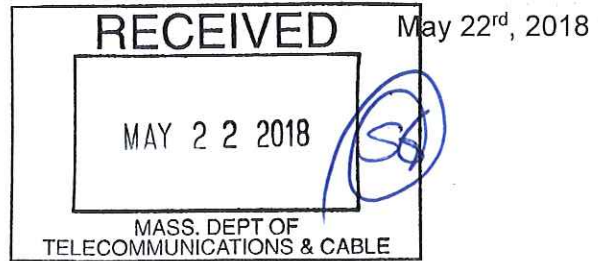


**FIVE TOWN CABLE ADVISORY COMMITTEE**  
Representing the Towns of Great Barrington, Lee, Lenox, Sheffield and Stockbridge

Commonwealth of Massachusetts  
Department of Telecommunications and Cable  
1000 Washington Street  
Suite 820  
Boston MA 02118



Attention: Sean M Carroll

Re: Petition of Charter Communications to establish and adjust the basic service tier programming, equipment and installation rates for the communities in Massachusetts served by Charter communications that are currently subject to rate regulation.

Hearing - Docket number DTC 17-5

The Five Town Cable Advisory Committee representing the towns of Great Barrington, Lee, Lenox, Sheffield and Stockbridge of which Lee, Lenox and Stockbridge are regulated, is vested by its member towns with such power and authority as may be lawfully delegated. As such, on behalf of our member towns, I submit the comments below and petition that they be included in the record of the above captioned hearing as our stated objections. Please accept this in lieu of our appearance and include our comments in the hearing record.

We strongly oppose any rate increase for basic tier service, especially with respect to programming and the in-home equipment Charter requires for decrypting signals for the reason stated below:

- With respect to equipment, we have been, and continue to be, vocal in our opposition to Charter's conversion to encrypted signal. We see it as device to increase revenue outside of the rate for service by charging for equipment, rather than for the service. Before encryption, direct cable-to-TV connections were enjoyed by many of our basic tier subscribers. No boxes required. Such subscribers with multiple TV sets found their monthly bills increase substantially, many by multiples, over what they had been paying for service because they can no longer be directly connected to their TV sets. Most of the basic tier only subscribers are elderly and low-income families who can least afford any increase. We believe this puts an undue financial burden on these subscribers.
- With respect to programming, our PEG Access channels, despite our strong and continuous objections, have been moved out of the basic tier to channels 1301, 1302 and 1303. They are not listed in the channel line-up guide. Our Agreements clearly state that PEG Channels are to be located in the basic service tier. They are not in compliance and should not be rewarded for bad acts.
- Charter has announced that they will be removing WCVB, our Channel 5, from our line-up on or about June 4<sup>th</sup>, this following the removal last year WWLP. We have objected to the removal of both these stations. Berkshire County is considered part of the Albany, New York DMA. But none of the Albany "must carry" stations aired in our Spectrum line-up covers Massachusetts state government news unless something "earth-shattering" occurs.

None of the Albany stations carry Massachusetts election debates and other Massachusetts political news. The Albany stations carry little, if any, local news of the Berkshire. Professional sports programming is sometimes blacked out for New England teams. Albany stations carry high school sports and scores, but neither in the Berkshires. Even Charter's own Spectrum News, Channel 9, is completely Albany centric.

WWLP is a Springfield/Holyoke Station with 5.5 hours of local news Monday through Friday. They have a permanent State House reporter in Boston, concentrating on legislation affecting Western Massachusetts, including the Berkshires. They also air considerable unduplicated local programming.

WCVB, a Boston Station, at least gives us State House news and covers Massachusetts political events but it is blacked out during periods of programming duplication with the Albany ABC affiliate.

Time Warner and Adelphia before that understood that, in Berkshire County, we are prisoners of the FCC defined Albany, NY, DMA and tried it's best, within the strictures of existing FCC regulations, to meet the needs if the communities they serve. Charter has shown no inclination to do so by methodically removing our links to the rest of the state. We continue to insist that we are part of Massachusetts and therefore must not be cut off from programming that is part of who we are, all the while paying for programming that is not.

- When Charter asked for permission to assume the franchise license agreements with our five towns we specifically asked if there would be any changes. They told us there would not be any, so we did not object. The announcement of encryption came swiftly after they closed on the purchase of Time Warner Cable. We believe they were not truthful with us.

Please note the first, and only, notice of the upcoming hearing captioned above, from Charter to us, was a copy of your notice dated April 27<sup>th</sup>, 2018, and received by email, May 11<sup>th</sup>, 2018. To our knowledge no other notice was given by the either newspaper or cablecasting as required. G.L.166A. section15; 2007 C.M.R. Section 1.06(5). No copy of the petition filed by Charter was included. We are therefore responding without any knowledge of the specifics of their petition.

Should you need any further information, feel free to call or email me.

Respectfully,



Linda Z. Miller  
*Chairman*  
*Five Town Cable Advisory Committee*  
*Representing the Towns of Great Barrington, Lee,*  
*Lenox, Sheffield and Stockbridge*  
(413)551-7014  
[LZMiller-5TownCAC@roadrunner.com](mailto:LZMiller-5TownCAC@roadrunner.com)